

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,


V.

EDUAR RAMOS, and
SETH CARUS

FILED

JUL 11 2019

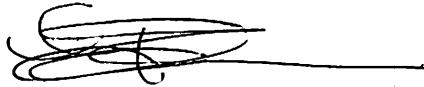
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

 **CR 19 305 RS**

DEFENDANT(S).

INDICTMENT


21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Heroin;
21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Controlled Substances;
21 U.S.C. § 853 – Forfeiture Allegation



A true bill.

Foreman

Filed in open court this 11 day of July 2019


Clerk

THOMAS S. HIXSON
STATES MAGISTRATE JUDGE

Bail, \$

NO BAIL WARRANT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

Count 1: Distribution of heroin (21 U.S.C. § 841(a)(1) and (b)(1)(C))

☐ Petty☐ Minor

Count 2: Possession with intent to distribute controlled substances (21 U.S.C. § 841(a)(1) and (b)(1)(C))

☐ Misdemeanor☒ FelonyPENALTY: Both counts:
Imprisonment: Not more than 20 years; Fine: \$1 million;
Supervised Release: Not less than 3 years but up to life; Special
Assessment: \$100; Denial of Federal Benefits; Immigration
Consequences Including Possible Deportation; Forfeiture

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

EDUAR RAMOS

DISTRICT COURT NUMBER

CR 19 305

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State court give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form RYAN REZAEI

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) RYAN REZAEI

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: NONE

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time:

Before Judge:

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

Count 1: Distribution of heroin (21 U.S.C. § 841(a)(1) and (b)(1)(C))

☐ Petty☐ Minor

Count 2: Possession with intent to distribute controlled substances (21 U.S.C. § 841(a)(1) and (b)(1)(C))

☐ Misdemeanor☐ Felony
 PENALTY: Both counts: [REDACTED]
 Imprisonment: [REDACTED]
 Supervised Release: [REDACTED]
 Assessment: \$ [REDACTED]
 Consequences including Possible Deportation; Forfeiture

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ SETH CARUS

DISTRICT COURT NUMBER

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges ▶2) ☐ Is a Fugitive3) ☐ Is on Bail from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

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Name and Office of Person

Furnishing Information on this form RYAN REZAEI

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) RYAN REZAEI

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: NONE

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

DAVID L. ANDERSON (CARN-149604)
United States Attorney

FILED

JUL 11 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUAR RAMOS, and
SETH CARUS

Defendants.

CASE NO.

CR 19 305 RS
Violations:

21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of
Heroin;
21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
Intent to Distribute Controlled Substances;
21 U.S.C. § 853 – Forfeiture Allegation

UNDER SEAL

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Heroin)

On or about July 2, 2019, in the Northern District of California, the defendants,

EDUAR RAMOS, and
SETH CARUS,

did knowingly and intentionally distribute a mixture and substance containing a detectable amount of
heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1)

INDICTMENT

1 and (b)(1)(C) and Title 18, United States Code, Section 2.

2 COUNT TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
3 Controlled Substances)

4 On or about July 2, 2019, in the Northern District of California, the defendants,

5 EDUAR RAMOS, and
6 SETH CARUS,

7 did knowingly and intentionally possess with intent to distribute a mixture and substance containing a
8 detectable amount of heroin, a Schedule I controlled substance, a mixture and substance containing a
9 detectable amount of cocaine base, a Schedule II controlled substance, a mixture and substance
10 containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a
11 Schedule II controlled substance, and a mixture and substance containing a detectable amount of
12 fentanyl, a Schedule IV controlled substance, in violation of Title 21, United States Code, Section
13 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

14 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

15 The allegations contained above are hereby re-alleged and incorporated by reference for the
16 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

17 Upon conviction of any of the offenses alleged in Counts One through Two above, the
18 defendants,

19 EDUAR RAMOS, and
20 SETH CARUS,

21 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
22 any proceeds defendants obtained, directly or indirectly, as a result of such violations, and any property
23 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such
24 violations, including but not limited to a forfeiture money judgment.

25 If any of the property described above, as a result of any act or omission of the defendants:

- 26 a. cannot be located upon exercise of due diligence;
- 27 b. has been transferred or sold to, or deposited with, a third party;
- 28 c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal Procedure 32.2.

DATED: 7/11/19

A TRUE BILL.



FOREPERSON
San Francisco

DAVID L. ANDERSON
United States Attorney


RYAN REZAEI
Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 11 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA V. EDUAR RAMOS, and
SETH CARUS

CASE NUMBER:

CR 19 305

This Case Under Seal?

Yes ☒ No ☐

Total Number of Defendants:

1 2-7 ☒ 8 or more

RS

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No ☒

Venue (Per Crim. L.R. 18-1):

SF ☒ OAK SJ

Is this a potential high-cost case?

Yes No ☒

Is any defendant charged with a death-penalty-eligible crime?

Yes No ☒

Is this a RICO Act gang case?

Yes No ☒

Assigned AUSA

(Lead Attorney): Ryan A. Rezaei

ed: 07/11/2019

Comments:

[REDACTED]